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HOUSE OF THE PEOPLE

NOTIFICATION

New Delhi, the 3rd October, 1953

No. 290-C/53.—In exercise of the powers conferred by clause 2) of Article 118 of the Constitution of India, the Speaker of the House of the People hereby makes the following further amendments in the Rules of Procedure and Conduct of Business in the House of the People, published under Notifications No. 113-C/52, dated the 17th April, 1952, No. 136-C/52, dated the 14th July, 1952, and No. 290-C/53, dated the 19th May, 1953, in the *Gazette of India Extraordinary*, Part I, Section 1 of the 17th April, and the 16th July, 1952 and the 30th May, 1953, namely:—

Amendments

1. For the existing heading to Chapter II of the Rules of Procedure the following shall be substituted, namely:—

“Summons to Members, Seating, Oath or Affirmation and Roll of Members.”

2. *Rule 4A.*—After rule 4 the following rule shall be inserted, namely:—

“4A. A member who has not already made or subscribed an oath or affirmation, in pursuance of Article 99 of the Constitution can do so at the commencement of a sitting of the House on any day after giving previous notice to the Secretary in writing.”

Oath or
Affirmation

3. *Rule 25.*—In Rule 25—

(a) Sub-rule (1) shall be omitted and the subsequent sub-rules shall be re-numbered accordingly;

(b) in sub-rule (2), clause (h) shall be inserted as clause (a) and the existing clauses (a) to (g) and clause (i) shall be re-lettered accordingly; and

(c) for sub-rule (3) and the proviso thereto, the following shall be substituted, namely:—

“(3) The relative precedence of Bills falling under the same clause of sub-rule (1) shall be determined by ballot to be held in accordance with the orders made by the Speaker and on such day and in such manner as the Speaker may direct:

Provided that the motion in respect of Bills falling under clause (a) of sub-rule (1) shall be entered in the List of Business in the order in which notices of such motions have been received in point of time:

Provided further that Bills falling under clause (h) of sub-rule (1) which are classified by the Committee on Private Members' Bills as category A shall have precedence over Bills classified as category B, and that the relative precedence of Bills falling under each of the categories shall be determined by ballot separately:

Provided further that where the Committee has not classified the Bills falling under clause (h) of sub-rule (1) as category A and category B, the order in which such Bills shall be put down in the List of Business shall be determined by ballot in accordance with such directions as the Speaker may give therefor.”

4. *New Rules 37A to 37K.*—After Rule 37 the following rule shall be inserted under a new Chapter VIA, namely:—

“CHAPTER VIA

COMMITTEE ON PRIVATE MEMBERS' BILLS

Constitution
of a Com-
mittee on
Private Me-
mbers' Bills.

37A. (1) There shall be a Committee on Private Members' Bills consisting of not more than ten members.

(2) The Committee shall be nominated by the Speaker and shall hold office for one year.

(3) The Speaker may discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof without the permission of the Chairman of the Committee.

(4) Casual Vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (1) have held office.

Chairman
of the
Committee.

37B. (1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee

(2) If the Chairman of the Committee is for any reason unable to act, the Speaker may similarly appoint another Chairman of the Committee in his place.

(3) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman of the Committee for that meeting.

37C. In order to constitute a meeting of the Committee the Quorum. quorum shall be four.

37D. (1) All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting.

(2) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

37E. (1) The functions of the Committee shall be—

Functions
of the
Committee.

(a) to examine every Bill seeking to amend the Constitution notice of which has been given by a private member, before a motion for leave to introduce the Bill is included in the list of business of the House;

(b) to examine all private members' Bills after they are introduced and before they are taken up for consideration in the House and to classify them according to their nature, urgency and importance into two categories, namely, category A and category B;

(c) to recommend the time that should be allocated for the discussion of the stage or stages of each private members' Bill and also to indicate in the time-table so drawn up the different hours at which the various stages of the Bill in a day shall be completed;

(d) to examine every private members' Bill which is opposed in the House on the ground that the Bill initiates legislation outside the legislative competence of the House, and the Speaker considers such objection *prima facie* tenable.

(2) The Committee shall perform such other functions in respect of private members' Bill as may be assigned to it by the Speaker from time to time.

37F. (1) The Committee shall have power to require the attendance of persons or the production of papers or records if such a course is considered necessary for the discharge of its duties: Powers to take evidence or call for papers, records or documents.

Provided that if any question arises whether the evidence of person or the production of a document is relevant for the purposes of the Committee the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial for the safety or interest of the State.

(2) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(3) No document submitted to the Committee shall be withdrawn, or altered without the knowledge and approval of the Committee.

Presentation
of the Re-
port of the
Committee.

37G. (1) The Report shall be signed by the Chairman or, in his absence, by any member of the Committee so authorised by the Committee.

(2) The Report of the Committee shall be presented by the Chairman or by a member of the Committee to the House.

Motion mo-
ved in the
House on
the Report.

37H. At any time after the report has been presented to the House a motion may be moved that the House agrees or agrees with amendments or disagrees with the report:

Provided that not more than half-an-hour shall be allotted for the discussion of the motion and no member shall speak for more than five minutes on such a motion:

Provided further that an amendment may be moved that the report be referred back to the Committee without limitations or with reference to any particular matter.

Notification
of classifi-
cation and
time-table
in Parlia-
mentary
Bulletin.

37I. The classification of Bills and the allocation of time order in respect of the Bills shall be notified in the Parliamentary Bulletin in accordance with the decision of the House under Rule 37H.

Disposal of
outstanding
matters at
the appoin-
ted hour.

37J. At the appointed hour in accordance with the allocation of time order the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the completion of a particular stage of the Bill.

Power of
Speaker to
give direc-
tion on a
point of
procedure
or other-
wise.

37K. The Speaker may issue such directions as he may consider necessary for regulating the procedure connected with the consideration of any question before the Committee."

5. Rule 47.—After clause (xxi) of sub-rule (2) of Rule 47, the

following shall be inserted, namely:—

(xxii) it shall not ordinarily seek information on matters which are under consideration before a Parliamentary Committee."

6. *New Rules 59A to 59D.*—After rule 59 the following rules shall be inserted under a new Chapter VIIIA, namely:—

"CHAPTER VIIIA

DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE FOR SHORT DURATION

59A. Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised: Notice of raising discussion.

Provided that the notice shall be accompanied by an explanatory note stating reasons for raising a discussion on the matter in question:

Provided further that the notice shall be supported by the signature of at least two other members.

59B. If the Speaker is satisfied after calling for such information from the member who has given notice and from the Minister as he may consider necessary that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion and allow such time for discussion not exceeding two and a half hours as he may consider appropriate in the circumstances: Speaker to decide admissibility.

Provided that if an early opportunity is otherwise available for the discussion of the matter, the Speaker may refuse to admit the notice.

59C. There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister shall reply shortly. Any member who has previously intimated to the Speaker may be permitted to take part in the discussion. No formal motion.

59D. The Speaker may, if he thinks fit, prescribe a time-limit for the speeches." Time limit of speeches.

7. *Rule 67.*—For rule 67, the following shall be substituted, namely:—

"67. The Speaker on request being made to him may order the publication of any Bill (together with the Statement of Objects and Reasons, the memorandum re-

garding delegation of legislative power : the financial memorandum accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again."

8. *Rule 68.*—In rule 68, the following sub-rule shall be inserted at the end, namely:—

"(4) The Speaker may disallow a notice of a Bill in case the Bill does not comply with the requirement of sub-rule (2) of this rule, or rule 70 or 71."

9. *Rule 82.*—In rule 82, the following shall be inserted as sub-rule (1) and the existing provision of the rule shall be re-numbered as sub-rule (2), namely:—

"(1) All questions at any sitting of a Select Committee shall be determined by a majority of votes of the members present and voting."

10. *Rule 126.*—In rule 126, the words "or in respect of which notice of a motion has been received under these rules" shall be omitted.

11. *Rule 133.*—After sub-rule (4) of rule 133, the following sub-rule shall be inserted, namely:—

"(5) In order to constitute a meeting of the Committee the quorum shall be three."

12. *Rule 137A.*—After rule 137, the following rule shall be inserted, namely:—

"137A. In other respects, the rules applicable to a Parliamentary Committee in Chapter XX of these rules shall apply."

13. *Rule 196.*—After sub-rule (3) in rule 196, the following sub-rule shall be inserted, namely:—

"(4) If any money has been spent on any service during a financial year in excess of the amount granted by the House for that purpose, the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendation as it may deem fit."

14. *Rule 197.*—In sub-rule (4) of rule 197, for the word “four” the word “five” shall be substituted.

15. *Rule 198.*—For the existing sub-rule (1) of rule 198, the following shall be substituted, namely:—

“(1) There shall be a Committee on Estimates for the examination of such of the estimates as may seem fit to the Committee or are specifically referred to it by the House. The functions of the Committee shall be—

- (a) to report what economies, improvements in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates, may be effected;
- (b) to suggest alternative policies in order to bring about efficiency and economy in administration;
- (c) to examine whether the money is well laid out within the limits of the policy implied in the estimates; and
- (d) to suggest the form in which the estimates shall be presented to Parliament.”

In sub-rule (6) of rule 198, for the word “six” the word “eight” be substituted.

16. *Rule 214D.*—After rule 214C, the following shall be inserted, namely:—

“214D. In other respects, the rules applicable to a Parliamentary Committee in Chapter XX of these rules shall apply.”

Provisions applicable in other respects.

17. *New Rule 226A.*—After rule 226, in Chapter XVI, the following rule shall be inserted as Rule 226A and the existing rule 226A onwards under Chapter XVII shall be re-numbered accordingly:—

“226A. In other respects, the rules applicable to a Parliamentary Committee in Chapter XX of these rules shall apply.”

Provisions applicable in other respects.

18. *Rule 257.*—For Rule 257 the following shall be substituted, namely:—

“257. (1) Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted the Speaker may, after taking the sense of the House, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or the motion as the case may be.

Limitation of debate.

- (2) At the appointed hour, in accordance with the time limit fixed for the completion of a particular stage of a Bill or a motion, the Speaker shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or the motion."

19. *Rule 265.*—To sub-rule (3) of rule 265 the following proviso shall be added, namely:—

"Provided that where a Committee has been appointed by the Speaker, the Chairman shall report the fact of such adjournment to the Speaker."

20. *Rule 266.*—To rule 266, the following proviso shall be added, namely:—

"Provided that where the members of the Committee are nominated by the Speaker a member may be discharged by the Speaker."

21. *Rule 276A.*—After Rule 276 the following rule shall be inserted:—

Special
Reports.

"276A. A Parliamentary Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Speaker or the House, notwithstanding that such matter is not directly connected with, or does not fall within or is not incidental to, its terms of reference."

22. *Rule 283A.*—After rule 283, the following rule shall be inserted, namely:—

Power of
Parliamen-
tary Com-
mittee to
make sugges-
tion on its
procedure.

"283A. A Parliamentary Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary."

By order of the Speaker,

M. N. KAUL,

Secretary.